IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET.
CIVIL APPLICATION NO.11 OF 2005
IN
APPEAL FROM ORDER NO.10 OF 2005

Farid Noorani ...Applicant

vs.

Municipal Corporation of
Greater Mumbai ...Respondent

Mr.A.K.Abhyankar with Mr.B.P.Pandey for the Applicant
Ms Geeta Joglekar for the Respondent-Corporation.

CORAM: A.S.OKA,J.
DATE : MARCH 28, 2005.

P.C.:

1. Rule. Respondent waives service. Taken up for hearing forthwith.

2. From the year 1998 ad-interim relief is operating in favour of the Appellant. No reply was filed to the Notice of Motion by the Respondent-Corporation. Hence, case for grant of interim relief is made out. If the Respondent-Corporation desires to take action under Section 394 of Mumbai Municipal Corporation Act, 1888, the Respondent-Corporation can always apply to this Court for modification of this order. Hence, Civil Application is allowed in terms of prayer clause (a). In the event, the Respondent-Corporation is desirous of taking action under Section 394 of the said Act of 1888, liberty to the Respondent to apply for modification of this order.

JUDGE.